

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

STEVEN WILSON)
)
v.) NO. 3:05-0238
) JUDGE CAMPBELL
UNITED STATES OF AMERICA)


ORDER

Pending before the Court are a Report and Recommendation of the Magistrate Judge dated February 17, 2006 (Docket No. 14) and Plaintiff's objections thereto (Docket No. 15). The Court has reviewed the Magistrate Judge's findings, the objections, and the record.

The Plaintiff's objections are OVERRULED, and the Report and Recommendation is ADOPTED and APPROVED. Accordingly, Defendant's Motion to Dismiss (Docket No. 8), which has been considered by the Court as a Motion for Summary Judgment (see Docket no. 14, p. 3), is GRANTED. Plaintiff's claims concerning 18 U.S.C. § 922(g)(1) are DISMISSED with prejudice. Plaintiff's claims concerning 18 U.S.C. § 922(d)(1) are DISMISSED without prejudice. To the extent Plaintiff is asserting the unconstitutionality of 18 U.S.C. § 922(b) — see Docket No. 15, p. 1 — Plaintiff's claims with regard to that statute are DISMISSED without prejudice for the same reasons his claims concerning 18 U.S.C. § 922(d) are dismissed.

The pretrial conference set for June 19, 2006, and the trial set for June 27, 2006, are canceled. This Order shall constitute the final judgment in this case pursuant to Fed. R. Civ. P. 58.

IT IS SO ORDERED.


TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE